FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

M. C. A. No. 350/2007

Appeal	District :
Application No.	of 200
Writ petition	

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : Smt. V. A. Naik, J.
DATED : 6th June, 2007.

Heard Shri V. M. Deshpande learned counsel for the applicant, Ms. Nasre counsel holding for Shri Sohoni learned counsel for respondents 1 and 2. All the 3 respondents are served.

When the matter was listed on 12.03.07 the counsel for the appellant could not remain present in the Court as he was ill w. e. f. 10.03.07. It is further stated in the application that the counsel had also furnished a Counsel Note on 12.03.07. In view of the fact that the counsel for the applicant was not able to remain present in the Court due to the unavoidable circumstances, it is necessary to set aside the order dated 12.03.07, dismissing the appeal in default and restore the Second Appeal to file.

For the reasons stated in the civil application the prayer made in the civil application

is granted and Second Appeal is restored to file. It is needless to mention that ad interim order passed by this Court on 21.12.06 would operate until further orders from this Court. M. C. A. is allowed and disposed of accordingly.

JUDGE

svk